

VERDICT FOR THE PLAINTIFF

One Thousand Dollars Allowed Mrs. Reamy.

Case Argued at Length by Messrs. Neely & Warrington for the Plaintiff and Messrs. Small and Kendall for Defendants. Overcome by the Heat.

When the Court of Law and Chancery convened yesterday morning Judge Martin instructed the jury in the damage suit of Reamy vs. the Pilot as follows:

(1) If the jury believe from the evidence that the defendants published the alleged libellous language as charged in the declaration, and that the same was false, the Court instructs them that malice is inferred from such publication, but actual malice may be rebutted by positive proof or by the circumstances of the publication.

MADE WITH MALICE.

(2) If the jury shall believe from the evidence that said publication was made by the defendants with malice, either express or implied, as above defined, they may, in addition to compensatory damages, assess against the defendants exemplary or punitive damages.

(3) The Court instructs the jury that if they believe from the evidence that the publication complained of in the plaintiff's declaration was not made by the defendants with actual malice, and that the malice which the law infers from the character of the publication is rebutted by the evidence, then plaintiff is not entitled to recover exemplary, punitive or vindictive damages.

GOOD FAITH.

(4) The Court instructs the jury that they should consider all the evidence, and if they believe that the publication complained of was made in good faith, believing it to be true, and that as soon as the error was discovered that a full retraction and apology was made, they may consider the same and all other facts proved in connection with the publication in mitigation of damages and may reduce the damages to compensatory or actual damages.

The case was ably argued by Messrs. Neely & Warrington for the plaintiff, Mr. Neely closing the case, and Messrs. Small and Kendall for the defense and submitted to the jury, who returned a verdict fixing the damages at \$1,000.

A motion for a new trial will be made.

During the progress of the case a boy named Martin, of the Evening News, was overcome by the heat. He was taken out of the room into the open air and recovered without much trouble.

The suit of Quimby against the Pilot, growing out of the same publication, will be tried next term. There were a number of preachers present yesterday and the attendance was larger than the day before.

Compliment to a Brave Confederate Veteran.

On the recent occasion of the unveiling of the Confederate monument at Raleigh, N. C., one of the most conspicuous persons present, certainly the most noticeable private soldier, was Private A. W. Grandy, of Pickett-Bushanan Camp of this city, dressed in the old uniform that he wore in the army and in which he was severely wounded. He was the observed of all observers, and a great deal of attention was paid him. Since his return home he received a letter from Mrs. P. E. Hines, vice-president of the Ladies' Monumental Association, enclosing him a number of souvenirs of the great occasion. Among them was the official badge and a piece of the monument stone.

In closing her letter she writes: "I send these souvenirs to one whom I saw wearing the much cherished Confederate uniform, the dear old jacket of gray." Private Grandy may well have a commendable pride by reason of this recognition. A brave man and a good man, he is doing his part now in the battle of life as he discharged it nobly and bravely as a soldier of the Confederacy.

Election of Officers.

Norfolk United Royal Arch Chapter No. 1 has elected the following officers for the ensuing term: E. L. Guy, high priest; W. T. Core, king; J. M. Moore, scribe; S. P. Moore, treasurer; John Walters, secretary (twenty seventh term); J. A. Scott, Jr., principal journeyman; Newton Fitz, Royal Arch captain; A. Patrick, S. C. Collins and L. Royster, masters of veils; R. W. Pettit, tiler.

Rising Sun Lodge No. 2, A. F. and A. Masons, elected for the ensuing Masonic year: Lemuel Bright, W. M.; King Joiner, S. W.; Wilson Townsend, J. W.; James C. Wilson, treasurer; James P. Carter, secretary; M. F. Jordan, S. D.; Randolph Driver, J. D.; Peter Ruffin and John Smithers, stewards.

Maple Shade Inn, Palaski, Hotel Roanoke, Wytheville, Mountain Lake, Yellow Sulphur and Blue Ridge Springs and other popular resorts on line of Norfolk and Western railroad, are now open.

For list of rates and all information apply to C. H. Bosley, City Ticket Agent, No. 66 Main street, corner Granby.

R. W. COURTNEY, Dist. Pass. Agent.

Sometime ago I was troubled with an attack of rheumatism. I used Chamberlain's Pain Balm and was completely cured. I have since advised many of my friends and customers to try the remedy and all speak highly of it. SIMON GOLDBACH, San Luis Rey, Cal. For sale by all druggists.

Wash Dress Goods, lovely styles, popular prices, Wright's, 226 Main street.

Valuable Real Estate at Auction.

By direction of A. B. Seldner, special commissioner, W. R. Feutress will offer at the Real Estate Exchange at 12 m. to day, the following valuable city property:

First—That certain lot of land, with the building thereon numbered 59, lying and being on the south side of Bermuda street, in the city aforesaid and bounded as follows, to-wit: Fronting on Bermuda street forty-two feet, more or less, and running back half way to Main street to the line of the property now or formerly belonging to Robert Archer's and Aaron Jeffrey's heirs.

Second—That certain lot, piece or parcel of land with the building thereon, numbered 10 and being on the west side of Clay street and bounded as follows: Beginning on the west side of Clay street, formerly Kelly street extended, at a point distant 107 feet from the northwest intersection of said Clay street and Bute street, thence southwardly at right angles unto said Clay street 100 feet, thence northwardly 25 feet, thence eastwardly 100 feet to said street, thence southwardly along said street 25 feet to the place of beginning.

Third—That certain lot of land, with the building thereon, numbered 331, lying and being on the south side of Queen street.

By direction of L. Harnanson, Special Commissioner, W. R. Feutress will sell at the Real Estate Exchange at 12 m. to day for the term of the natural life of Martha Moore, the lot of land with the improvements thereon, described as follows: Beginning at a point on the east side of Hawk street six inches north of the house of Butler, thence running northerly twenty-four feet six inches, thence easterly seventy-two feet or half way through to Fourth street, thence southerly twenty-four feet six inches, and thence westerly to said Hawk street at the point of beginning. The said Martha Moore is about 50 years of age.

Immediately after the above sale, all of the right, title and interest in the said described property, of the four children, all being of full age, of Elijah Moore, now deceased, and Martha Moore, his widow, will be exposed to sale on the following terms: One third cash and balance in two equal payments at 60 and 90 days, deferred installments to be evidenced by notes of the purchaser, payable jointly to said four children.

Ocean View to-day.

Hundreds of people with whom this delightful resort is popular will be pleased to know that the new management have matters so far advanced as to enable them to announce that the restaurant and bar of the hotel will be formally opened to day for business, and it goes without saying that there will be a rush.

The new hotel manager, Mr. R. Worthy Smith, knows how to cater, and he gives the assurance that the place is to be run in a manner to earn the favor of everyone. With the fine fishing and bathing, and the delightful ocean view gets at Ocean View it is bound to become more popular than ever. When the hotel and other improvements are completed and the electric cars get to running Ocean View is going to be the Coney Island of this section or even better.

Week Sale.

R. R. Morris, manager, will sell at the Merritt Wrecking Company's wharf, Atlantic City ward, at 12 m. to day, all the material saved from the Barkentine Josephine, consisting of anchors and chains, spars, rope and wire rigging, blocks, pumps, side lights, anchor lights, lanterns, medicine chest, compass, fox horns, sails, awnings, one yawl boat, old and new rope, iron, copper, brass, junk, old canvas, cabin furniture, ship stores, etc. Also one boiler and hoisting engine, pump, condenser and everything complete. Sale positive.

H. M. S. Pinafore.

The young ladies and gentlemen who so successfully gave this opera at the Academy a few days since, will repeat it this evening at the Academy for the benefit of the Lee Rifles and City Guard, and no doubt there will be a fine audience present, as there should be. The performance will be under the direction of Prof. Charles Borjes, who has done so much to make it a success. Admission 75, 50 and 25 cents.

Trip to Old Point.

Messrs. Hill, Consoledo & Taylor gave a delightful little outing to a few of their friends to Old Point last evening in their handsome little steam yacht Lena. The Lena has recently been overhauled and painted and looks like a little queen on the water. She made the trip to Old Point in one hour. The party returned home at 11 o'clock, everybody well pleased with the trip.

The High Temperature in Norfolk Yesterday.

While Norfolk yesterday was not the warmest place in the United States, still the mercury climbed to a very disagreeable height and the heat was very great. About the best thing to do under the circumstances is to rest under the breezes of an electric fan. K. R. Cobb, 22 Roanoke avenue, can furnish anything in the fan line.

The Ladies.

The pleasant effect and perfect safety with which ladies may use the California liquid laxative, Syrup of Figs, under all conditions, makes it their favorite remedy. To get the true and genuine article, look for the name of the California Fig Syrup Co., printed near the bottom of the package.

Strawberry short-cake at Mac's:

Strawberry short-cake at Mac's, At Mrs. P. Hines, No. 104 Church street, black satin ribbons, all widths, and fancy ribbons, newest styles.

For electric fans and ventilating fans of all kinds, address K. R. Cobb, No. 22 Roanoke avenue, Norfolk, Va.

THAT TELEPHONE QUESTION

It May Be Settled on Thursday Night Next.

Last Night's Meeting of the Common Council a long and Arduous Session. But Little Business Transacted. A Proposition from Telephone Company.

The warm weather seriously affected the Councilmen last night, for when the regular monthly session began only the following were present: Arps, Borum, Collins, Hannan, Small, Iron, mouger, Brickhouse Camp, Sheldon, Lewis, Peele, Moore, Hyslop and Roper.

Mr. Sheldon moved that the Common Council non-concur with the Select in appropriating \$2,000 for the purchase of a chemical engine for the Fire Department. Mr. Brickhouse deprecated this matter and stated that the engine was an absolute necessity. The matter was thoroughly discussed by several members, Mr. Sheldon holding that the city's credit was already extended almost to the danger line. The matter was laid on the table.

Concurred with Select Council on petition of milk dealers to be relieved of the tax of 15 cents a day on their wagons. On motion of Mr. Camp the ordinance in relation to the matter was adopted as passed by the Select Council.

The ordinance in relation to repairs to the City Hall was adopted as passed by the Select Council.

Non-concurred with Select Council in confirming the appointment of E. L. O. Manning as Deputy High Constable.

Concurred with Select in appointing one member of the committee to investigate bills of H. L. Worthington for indexing court books.

Concurred with Select Council in transferring lot of land in Fourth Ward to School Trustees as a site for the new school in the ward.

Non-concurred with the Select Council in increasing the pay of Chief of Fire Department \$300 per year, it being in violation of the city ordinance.

Appropriations for court allowances amounting to \$601.75 were allowed and bonds were ordered to be issued to secure the money.

The Finance Committee's report recommending that bill against United States Government for \$203.96 for imprisonment be returned to the City Collector for collection.

William Erbehen was permitted to pay the City Collector \$50 in full for charges against him for paving Charlotte street, he owing a small job of land on the street.

The report of the Ordinance Committee on the telephone question recommending the offer of the Virginia Telephone Company be considered, it being still the best one for the city.

It also recommended that the Council consider the granting of a franchise to the Southern Electric Service Company for a metallic circuit telephone service by conduits and to furnish neat, tight, power and telegraph and telephone wires by poles and ducts, they to pay 5 per cent of gross earnings and give free telephone service to all city offices. They agree to give telephones for from \$26 to \$38 per year. The committee suggested that the matter be favorably considered and the company give bond in the sum of \$10,000 for the faithful performance of the duties promised.

Col. D. D. Starke was granted the privilege of the floor and made a very interesting exposition of the merits of the subway or under ground conduit system of telegraphic and telephonic communications.

Mr. J. A. Holvin, one of the promoters of the company, was permitted the use of the floor and he more fully explained the subway question. The ducts are to be laid in the street three feet from the curb and one foot below the surface. A three inch iron pipe is to be laid in which the cables will be placed and after they have been once laid the street will not have to be again torn up.

On motion of Mr. Camp the matter was referred back to the Ordinance Committee to have a proper ordinance including the proposition of the Southern Electric Service Company at an adjourned meeting to be held Thursday night.

After the Grip.

diphtheria, pneumonia, scarlet fever, typhoid fever, etc. Hood's Sarsaparilla is of wonderful benefit in imparting the strength and vigor so much desired.

Hood's Pills for the liver and bowels act easily and promptly and effectively.

Read This and Reflect.

Have you consulted Dr. Week, the celebrated ophthalmologist, late of New York and St. Louis, who is now under engagement with me? If not, and you are having trouble with your eyes, don't fail to do so. The following are a few of the many persons who have already been treated by the Doctor, and to whom we would respectfully refer any needing treatment. All examinations free: Rev Dr. Wharton, Rev Dr. Hall, Rev Dr. Cox, Rev Dr. Dunaway, Rev Dr. Carter, Rev Dr. Leach, Rev Dr. Quinn, Major D. Humphreys, Mr. W. H. Doyle, Mr. J. L. Winston, Mr. W. H. Trice, Mr. J. J. Johnson, Mr. P. O'Connor, Mr. J. Krumholz, Mr. Thomas Bottimore, Mr. S. N. Brickhouse, Captain W. C. Whittle, General Page, Colonel W. B. Rogers, Mr. H. C. Meskin and Captain John L. Roan.

F. H. GALE, Jeweler, No. 152 Main street.

The Equitable Life Assurance Co.

Is the strongest Life Insurance Company in the world.

A. MYERS, Manager.

A special reduction in sterling silver for the month of June. Bridal presents very low. Chasman & Johnson.

IN THE COURTS.

Corporation Court, Judge Hancel Presiding.

Judge Hancel yesterday tried the following criminal cases: John Demais, refusing to assist an officer to make an arrest in the "Peg-leg corner" fight some months ago; sixty days in jail and \$50 fine. A motion was made for a new trial. Molly Hogwood, keeping a house of ill-fame; appeal from a fine of \$25 and costs, imposed by Police Justice. The jury failed to agree and adjourned until to day.

Police Court.

Justice Burroughs disposed of the following cases yesterday: Mollie Young and Flora Wood, white, keeping houses of ill fame on Wolf street; fined \$22.25 each and committed to jail for one hour.

Americus Moore, colored, assault on A. Boston; fined \$12.25 and bound over in the sum of \$100 to keep the peace.

Percy Graham, white, publishing and circulating obscene literature; continued to 5th.

E. C. Rhea and Dotta West, white, committing a nuisance; fined each \$12.75.

C. A. Sandon, Geo. A. Seaman, Robert Conner, Mike Madden, Jim Brady, all white drunks; fined \$3.25 each.

Brambleton Improvement Board.

The Brambleton Improvement Board met last night, with Mr. Bassett in the chair.

The Finance Committee recommended the payment of a bill in favor of the Merchants' and Farmers' Peanut Company for \$21; also a bill in favor of Mr. O. F. Baxter, registrar, \$9.50.

Mr. Winslow reported the low condition of the south side of Brambleton avenue, east of the Norfolk Terminal. Referred to the Street Committee to report at next meeting; also Park avenue between Brown and Willoughby; also a nuisance on Brown avenue.

The Board decided to request the sanitary officer to serve an official notice for the abatement of said nuisances. The Street Committee was empowered to put another man on the force temporarily.

Mr. Outten called attention to stagnant water in the rear of certain residences on Highland avenue. The matter was referred to the Street Committee to be dealt with by official notice.

Spring street, between the Hygienic Ice Factory and Taylor & Co.'s property, forty feet wide and extending from Kelly avenue to Norfolk terminal, was accepted.

On motion, the secretary was instructed to ask the Councils to set apart \$700 to meet the expense of paving intersections on improved streets.

The Finance Committee was requested to confer with the city attorney for his opinion as to paying sidewalks.

Mr. Blasingham, janitor in charge of the public school, was accorded the floor to speak of the work necessary to keep the buildings and premises in order.

The matter of payment of the janitor was referred to the school trustees to arrange for the balance of the session. There were two bids to drain the cellar of the new schoolhouse with 6 in. terra cotta pipe to Ohio Creek, about 1,000 feet—Mr. W. H. Barnard \$225, Messrs. Jos. L. & E. W. James \$220.

On motion the contract was awarded the latter. The matter of other improvements was postponed for other estimates.

Mr. Pinkerton was present and spoke of important matters in connection with the public schools. The express action of the Board was in favor of the very best provisions for the public schools. It was the sense of the Board to have a male rector in the public schools of the ward.

The School Committee was empowered to arrange for furnishing the public schools with city water.

Other matters of no special public interest received attention. Bills were allowed and the Board adjourned.

Obsequies of Mr. Henry C. Gordon.

The funeral of this well known young gentleman took place from his late residence on Bermuda street yesterday afternoon at 5:30 o'clock and was attended by a large number of people, among whom were the members of the Virginia Club, which organization attended in a body. Rev. B. D. Tucker, rector of St. Paul's Episcopal Church, officiated and the remains were laid away in Elmwood Cemetery.

The floral offerings were large and beautiful. The following gentlemen were the pall bearers:

Active—Devereux Doyle, James Riddle, Boz Bayard, George W. Taylor, L. E. Wilcox, Dr. J. H. Downer, W. C. Hardy, W. T. Cooke.

Honorary—John Vermillion, Henry Walke, R. C. Byrd, Thomas J. Keels, Dr. A. C. Palmer, L. W. Chidley, Liout W. T. Burwell, John N. Vaughan.

Horses Prostrated by the Heat.

Dr. F. E. White, the veterinary surgeon, has had within the last two days between fifteen and twenty head of horses placed under his charge for treatment, which were overcome by the extreme hot weather. The animals were prostrated and rendered unconscious and required quick and energetic treatment in order to restore them. So far Dr. White has saved every animal in this condition placed under his charge.

F. E. White, doctor of veterinary science, graduate National Veterinary College. Office, McCleary & McCleary's stables, Union street, Norfolk, Va. Telephone, 325. References—Any horseman on Union street.

Campbell

is making special inducements on all his first quality photographs; also on fine crayon and color portraits, 172 Main street.

Correct Necktie shirts with nobby collars and ties to match. Nichols & Wallace, 125 Main street.

PANORAMA OF LOCAL EVENTS

Pleasing Pen Pictures of Actual Occurrences.

In Search of Capt. McCail. Sent on to the Grand Jury for Stealing Rope. A Movement to Aid the Infant Sanitarium. Painting Station-House Cells.

Cooler weather is expected to-day. Rev. R. A. Robinson is in Baltimore.

The Pinafore to-day at the Academy of Music.

The quarantine steamer Dogman was in port yesterday.

The cells at the police station are being painted inside.

Mr. William Mahone is ill at his residence on Marine street.

Dr. L. B. Anderson and daughter are at Shaw Springs, N. C.

There was a rehearsal of Pinafore at the Academy of Music last night.

Prof. Paulie, the organist of McKendree M. E. Church, is sick in bed.

The steamer Louise carried a large crowd to Newport News yesterday.

The steamer Wm. Coley has returned from Kill Devil Hill, N. C.

The United States steamer Raleigh coaled at Lambert's Point yesterday.

Mr. John B. Loughran and family have gone to their cottage at Ocean View.

A movement is on foot among the Royal Arcanumites to assist the Infant Sanitarium.

The funeral of Mrs. Black will take place from her residence, No. 40 Bank street, at 5 p. m. to-day.

The tug E. Luckenbach, Captain Grant, left for Body's Island yesterday morning to search for Captain McCail, of the fishing schooner Abbie Dodge, whose daughter recently died at his home in Greenport, L. I.

All active and honorary members of the Francis Barnes Y are invited to a reception to be held in honor of Miss Ensign at the residence of Mrs. A. C. Miley, 126 Bank street, to-night. Each one is allowed the privilege of bringing a friend.

Circle No. 2 of King's Daughters will hold their regular meeting this afternoon at 5:30 o'clock in the pastor's study of Granby Street Church. A full attendance is desired, as they anticipate a rare treat to-morrow night in the shape of a "literary and musical entertainment," with refreshments. The public invited.

Mike Shanagnessy, white, arrested by Special Officer Harroun for breaking into and entering a pile-driver belonging to the Norfolk and Western railroad on the 25th of April, and robbing it of rope and one shovel valued at \$25.65, was examined by Police Justice Burroughs yesterday and sent on to the July term of the Corporation Court on the charge of felony.

Delegates to Grand Camp.

The delegates from Norfolk to the Grand Camp Confederate Veterans in session at Charlottesville are: Gen E. M. Henry, Past Commanders O. A. Nash, W. F. Irvine, J. W. Thomas, Jr., Samuel Hodges, Theo S. Garnett, T. L. Dornin, Washington Taylor, Commanders W. A. Edwards and R. T. Jacobs, Maj. Charles Fickett, O. H. Perry, B. A. Marsden, W. E. Foster, W. B. Brown, J. R. Briggs, W. E. Ludgins, Fred Greenwood and O. E. Edwards. Some of the delegates have not yet left the city.

Funeral Mrs. Ann W. Wilder.

The funeral of Mrs. Ann W. Wilder, aged 75 years, relict of the late J. M. Wilder, took place yesterday afternoon at 6 o'clock from her residence, 180 Bute street. The service was conducted by Dr. Tudor and the burial was in Elmwood. The pall-bearers were B. T. Bockover, W. A. Taylor, T. J. Nottingham, Andrew S. Martin, M. Glennan and S. S. Dann.

A Surprising Occurrence!

A Surprising Occurrence! Not at all, when you have seen the bargains we offer. The public are astonished; in fact, so are we, but we intend to keep the ball rolling. Read last Sunday's VIRGINIAN for prices, then come to our store. None over disappointed. We advertise bargains and have them, too, when you come for them. All prices as advertised hold good for the balance of the week. Levy Bros., 174 Main street.

Obit.

KILEY—At his late residence, No. 313 Harrington street Portsmouth, Va., yesterday, June 4, at 10:30 p. m., PATRICK S. KILEY, in the 53d year of his age.

Funeral from St. Paul's Catholic Church THIS (Wednesday) MORNING at 9 o'clock. Friends and acquaintances are invited to attend.

BLACK—In this city, at the residence of her daughter, Mrs. J. D. Cahler No. 40 Bank street, Monday, June 3d, 1895, at 9:55 o'clock p. m., Mrs. MARGARET BLACK, in the 51st year of her age.

The funeral will take place from the above residence WEDNESDAY AFTERNOON at 5 o'clock. Friends of the family are invited to attend.

Ledger and News copy.

THE COPPER MARBLE WORKS,

113 and 115 Bank St., NORFOLK, - - - VIRGINIA.

Large Stock of Finished MONUMENTS AND HEADSTONES.

Ready for IMMEDIATE DELIVERY.

IF YOU WANT

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Pretty Straw Hats

For Men, Boys and Children, call at

Walter J. Simmons & Co.

177 MAIN STREET.

LOWEST PRICES.

We close at 7 o'clock p. m., Saturdays excepted.

WEATHER REPORT.

Forecast for To-day.

WASHINGTON, D. C., June 5, 1895

RAIN

For Virginia: Showers; cooler; South-easterly winds.

For North Carolina: Increasing cloudiness; cooler; southeasterly winds.

MINIATURE ALMANAC—Sun rises, 4:47; sun sets, 7:23. High water, 7:27 and 7:40 a. m.; low water, 1:43 and 1:58 p. m.

Local Meteorological Data.

(For 24 hours ending 9 o'clock LAST NIGHT.)

Warmest day of season.

U. S. DEPARTMENT OF AGRICULTURE,

WEATHER BUREAU,

Local Office, Dodson Building,

Norfolk, Va., June 4, 1895.

Maximum temperature..... 95